REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-5 and 11-14, drawn to a pharmaceutical composition for

nasal administration comprising zolpidem; and

Group II: Claims 6-10, drawn to a method of inducing sleep comprising nasally

administering a pharmaceutical composition comprising zolpidem.

Applicants hereby elect Group I, Claims 1-5 and 11-14, drawn to a pharmaceutical

composition for nasal administration comprising zolpidem, with traverse on the grounds that

no adequate reasons and/or examples have been provided to support a conclusion of

patentable distinctiveness between the identified groups. Also, it has not been shown that a

burden exists in searching the claims of the two groups.

Moreover, the M.P.E.P. at § 803 states as follows:

> "If the search and examination of an entire application can be
> made without a serious burden, the Examiner must examine it
> on the merits, even though it includes claims to distinct or
> independent inventions."

Applicants respectfully submit that a search of all of the claims would not impose a

serious burden on the Office.

Finally, Applicants respectfully submit that, should the claims of Group I be found

allowable, the Office should expand its search to the claims of Group II.

Accordingly, and for the reasons presented above, Applicants submit that the Office

has failed to meet the burden necessary in order to sustain the Restriction Requirement.

Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in

condition for examination on the merits, and early notice of such action is earnestly solicited.
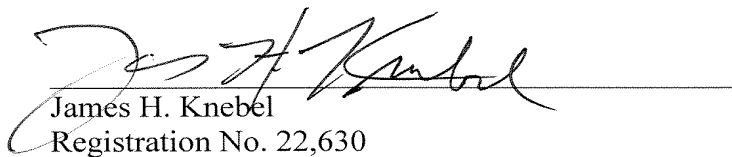
Respectfully submitted,

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